

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CARL EDWARD BELL,	:	CIVIL ACTION NO. 1:22-CV-1383
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
MORRIS HOUSER, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 30th day of May, 2023, upon consideration of defendants' motion to dismiss plaintiff's amended complaint, plaintiff's motion to stay resolution of the motion to dismiss, and plaintiff's motion for issuance of a case management schedule (Docs. 21, 25, 34), and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Defendants' motion to dismiss (Doc. 21) is GRANTED in part and DENIED in part.
2. The motion to dismiss is granted with respect to plaintiff's First Amendment retaliation claim, plaintiff's Fifth Amendment due process claim, and all claims against defendant Houser. These claims are dismissed without further leave to amend.
3. The motion to dismiss is denied with respect to plaintiff's Fourteenth Amendment due process claim against defendant Boone and to the extent defendants seek to bar plaintiff from recovering compensatory or punitive damages.
4. This case shall proceed only as to plaintiff's Fourteenth Amendment due process claim against defendant Boone. Boone shall answer plaintiff's amended complaint in accordance with the Federal Rules of Civil Procedure.

5. Plaintiff's motion to stay resolution of the motion to dismiss (Doc. 25) is DENIED.
6. Plaintiff's motion for issuance of a case management schedule (Doc. 34) is GRANTED.
7. The pre-trial schedule in the above-captioned case shall be as follows:
 - a. Discovery shall be completed on or before November 30, 2023. In accordance with Local Rule of Court 5.4(b), the parties shall refrain from filing discovery requests with the court.
 - b. Dispositive motions shall be filed on or before January 31, 2024.
8. Any motions or briefs filed after the expiration of the applicable deadline without prior leave of court shall be stricken from the record.
9. No extensions of the pre-trial schedule shall be granted absent good cause. See Fed. R. Civ. P. 16(b).

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania